

Environmental Protection Agency

§ 76.5

- (a) § 72.2 (Definitions);
- (b) § 72.3 (Measurements, abbreviations, and acronyms);
- (c) § 72.4 (Federal authority);
- (d) § 72.5 (State authority);
- (e) § 72.6 (Applicability);
- (f) § 72.7 (New unit exemption);
- (g) § 72.8 (Retired units exemption);
- (h) § 72.9 (Standard requirements);
- (i) § 72.10 (Availability of information); and
- (j) § 72.11 (Computation of time).

In addition, the procedures for appeals of decisions of the Administrator under this part are contained in part 78 of this chapter.

§ 76.4 Incorporation by reference.

(a) The materials listed in this section are incorporated by reference in the sections noted. These incorporations by reference (IBR's) were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they existed on the date of approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding address noted below and are available for inspection at the Office of the Federal Register, 800 North Capitol St., NW., 7th Floor, Suite 700, Washington, DC, at the Public Information Reference Unit, U.S. EPA, 401 M Street, SW., Washington, DC, and at the Library (MD-35), U.S. EPA, Research Triangle Park, North Carolina.

(b) The following materials are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103; or the University Microfilms International, 300 North Zeeb Road, Ann Arbor, Michigan 48106.

(1) ASTM D 3176-89, Standard Practice for Ultimate Analysis of Coal and Coke, IBR approved May 23, 1995 for § 76.15.

(2) ASTM D 3172-89, Standard Practice for Proximate Analysis of Coal and Coke, IBR approved May 23, 1995 for § 76.15.

(c) The following material is available for purchase from the American

Society of Mechanical Engineers (ASME), 22 Law Drive, Box 2350, Fairfield, NJ 07007-2350.

(1) ASME Performance Test Code 4.2 (1991), Test Code for Coal Pulverizers, IBR approved May 23, 1995 for § 76.15.

(2) [Reserved]

(d) The following material is available for purchase from the American National Standards Institute, 11 West 42nd Street, New York, NY 10036 or from the International Organization for Standardization (ISO), Case Postale 56, CH-1211 Geneve 20, Switzerland.

(1) ISO 9931 (December, 1991) "Coal—Sampling of Pulverized Coal Conveyed by Gases in Direct Fired Coal Systems," IBR approved May 23, 1995 for § 76.15.

(2) [Reserved]

§ 76.5 NO_x emission limitations for Group 1 boilers.

(a) Beginning January 1, 1996, or for a unit subject to section 404(d) of the Act, the date on which the unit is required to meet Acid Rain emission reduction requirements for SO₂, the owner or operator of a Phase I coal-fired utility unit with a tangentially fired boiler or a dry bottom wall-fired boiler (other than units applying cell burner technology) shall not discharge, or allow to be discharged, emissions of NO_x to the atmosphere in excess of the following limits, except as provided in paragraphs (c) or (e) of this section or in § 76.10, 76.11, or 76.12:

(1) 0.45 lb/mmBtu of heat input on an annual average basis for tangentially fired boilers.

(2) 0.50 lb/mmBtu of heat input on an annual average basis for dry bottom wall-fired boilers (other than units applying cell burner technology).

(b) The owner or operator shall determine the annual average NO_x emission rate, in lb/mmBtu, using the methods and procedures specified in part 75 of this chapter.

(c) Unless the unit meets the early election requirement of § 76.8, the owner or operator of a coal-fired substitution unit with a tangentially fired boiler or a dry bottom wall-fired boiler (other than units applying cell burner technology) that satisfies the requirements of § 76.1(c)(2), shall comply with

the NO_x emission limitations that apply to Group 1, Phase II boilers.

(d) The owner or operator of a Phase I unit with a cell burner boiler that converts to a conventional wall-fired boiler on or before January 1, 1995 or, for a unit subject to section 404(d) of the Act, the date the unit is required to meet Acid Rain emissions reduction requirements for SO₂ shall comply, by such respective date or January 1, 1996, whichever is later, with the NO_x emissions limitation applicable to dry bottom wall-fired boilers under paragraph (a) of this section, except as provided in paragraphs (c) or (e) of this section or in § 76.10, 76.11, or 76.12.

(e) The owner or operator of a Phase I unit with a Group 1 boiler that converts to a fluidized bed or other type of utility boiler not included in Group 1 boilers on or before January 1, 1995 or, for a unit subject to section 404(d) of the Act, the date the unit is required to meet Acid Rain emissions reduction requirements for SO₂ is exempt from the NO_x emissions limitations specified in paragraph (a) of this section, but shall comply with the NO_x emission limitations for Group 2 boilers under § 76.6.

(f) Except as provided in § 76.8 and in paragraph (c) of this section, each unit subject to the requirements of this section is not subject to the requirements of § 76.7.

(g) Beginning January 1, 2000, the owner or operator of a Group 1, Phase II coal-fired utility unit with a tangentially fired boiler or a wall-fired boiler shall be subject to the emission limitations in paragraph (a) of this section.

§ 76.6 NO_x emission limitations for Group 2 boilers. [Reserved]

§ 76.7 Revised NO_x emission limitations for Group 1, Phase II boilers. [Reserved]

§ 76.8 Early election for Group 1, Phase II boilers.

(a) *General provisions.* (1) The owner or operator of a Phase II coal-fired utility unit with a Group 1 boiler may elect to have the unit become subject to the applicable emissions limitation for NO_x under § 76.5, starting no later than January 1, 1997.

(2) The owner or operator of a Phase II coal-fired utility unit with a Group 1 boiler that elects to become subject to the applicable emission limitation under § 76.5 shall not be subject to any revised NO_x emissions limitation for Group 1 boilers that the Administrator may issue pursuant to section 407(b)(2) of the Act until January 1, 2008, provided the designated representative demonstrates that the unit is in compliance with the limitation under § 76.5, using the methods and procedures specified in part 75 of this chapter, for the period beginning January 1 of the year in which the early election takes effect (but not later than January 1, 1997) and ending December 31, 2007.

(3) The owner or operator of any Phase II unit with a cell burner boiler that converts to conventional burner technology may elect to become subject to the applicable emissions limitation under § 76.5 for dry bottom wall-fired boilers, provided the owner or operator complies with the provisions in paragraph (a)(2) of this section.

(4) The owner or operator of a Phase II unit approved for early election shall not submit an application for an alternative emissions limitation demonstration period under § 76.10 until the earlier of:

(i) January 1, 2008; or

(ii) Early election is terminated pursuant to paragraph (e)(3) of this section.

(5) The owner or operator of a Phase II unit approved for early election may not incorporate the unit into an averaging plan prior to January 1, 2000. On or after January 1, 2000, for purposes of the averaging plan, the early election unit will be treated as subject to the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under § 76.5(g) and if revised emission limitations are issued for Group 1 boilers pursuant to section 407(b)(2) of the Act, § 76.7.

(b) *Submission requirements.* In order to obtain early election status, the designated representative of a Phase II unit with a Group 1 boiler shall submit an early election plan to the Administrator by January 1 of the year the early election is to take effect, but not